

1 KAMBERLAW, LLC
2 SCOTT A. KAMBER (pro hac vice)
skamber@kamberlaw.com
3 100 Wall Street, 23rd Floor
New York, NY 10005
4 Telephone: 212.920.3072
Facsimile: 212. 202.6364
5

6 Interim Lead Counsel for Consolidated Plaintiffs

7 GIBSON, DUNN & CRUTCHER LLP
S. ASHLIE BERRINGER, SBN 263977
8 ABeringer@gibsondunn.com
JOSHUA A. JESSEN, SBN 222831
9 JJessen@gibsondunn.com
JESSICA S. OU, SBN 280534
10 JOu@gibsondunn.com
11 1881 Page Mill Road
Palo Alto, California 94304
12 Telephone: 650.849.5300
Facsimile: 650.849.5333
13

14 Attorneys for Defendant
15 APPLE INC., A CALIFORNIA CORPORATION

16 [See Signature Block for Additional Counsel]

17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19 SAN JOSE DIVISION

20 In re iPhone Application Litigation

21 CASE NO. 11-MD-02250-LHK

22 **SUPPLEMENTAL JOINT CASE
MANAGEMENT STATEMENT AND
PROPOSED ORDER CONTINUING
AUGUST 28, 2013 CASE MANAGEMENT
CONFERENCE**

23
24
25 Date: August 28, 2013
26 Time: 2:00 p.m.
27 Place: Courtroom 8, 4th Floor
28 Judge: The Honorable Lucy H. Koh

1 Pursuant to Civil L.R. 16-10(d), the parties to this action certify that they have met and
 2 conferred and jointly submit this Supplemental Joint Case Management Statement.

3 **DESCRIPTION OF SUBSEQUENT CASE DEVELOPMENTS**

4 1. On June 7, 2013, the Court entered an Order, at the request of the parties, continuing
 5 the Case Management Conference scheduled for June 12, 2013 to August 28, 2013. (Dkt. No. 239.)

6 2. Since entry of the Court's Order, the parties have continued to work cooperatively on
 7 discovery, and Plaintiffs have taken three additional depositions of Apple personnel. The parties also
 8 participated in a further mediation on August 5, 2013, which did not resolve the case.

9 3. On August 19, 2013, Plaintiffs filed their Motion for Class Certification; Apple will
 10 file its opposition on September 19, 2013; and Plaintiffs will file their reply on October 10, 2013.
 11 (Dkt. No. 226.)

12 4. Additionally, on September 26, 2013, Plaintiffs will file their opposition to Apple's
 13 Motion for Summary Judgment (which Apple filed on May 17, 2013), and Apple will file its reply on
 14 October 10, 2013. (*Id.*)

15 5. The Court is scheduled to conduct hearings on Plaintiffs' Motion for Class
 16 Certification and Apple's Motion for Summary Judgment on October 31, 2013, and November 7,
 17 2013, respectively. (*Id.*)

18 6. Given the current posture of the case, including the upcoming briefing on class
 19 certification and summary judgment, the parties do not believe a case management conference on
 20 August 28, 2013 is necessary, and believe that judicial efficiency will be maximized and the interests
 21 of all parties and the Court will be best served by continuing the conference to either October 31,
 22 2013 or November 7, 2013. The parties therefore respectfully request that the Court continue the
 23 August 28, 2013 case management conference to October 31, 2013 or November 7, 2013 (or to a
 24 later date that is convenient for the Court). The parties are attaching a proposed order.

1 DATED: August 21, 2013

Respectfully submitted,

2 KAMBERLAW, LLC

3 By: /s/ Scott A. Kamber
4 Scott A. Kamber

5 *Interim Lead Counsel for Consolidated Plaintiffs*

6
7 SCOTT A. KAMBER (pro hac vice)
8 DAVID A. STAMPLEY(pro hac vice)
9 skamber@kamberlaw.com
dstampley@kamberlaw.com
10 100 Wall Street, 23rd Floor
11 New York, NY 10005
212.920.3072 T
212.202.6364 F

12 DEBORAH KRAVITZ (SBN 275661)
13 dkravitz@kamberlaw.com
14 KAMBERLAW, LLP
15 141 North St.
Healdsburg, CA 95448
707.820.4247 T
212.202.6364 F

16 *Interim Lead Counsel for Consolidated Plaintiffs*

17
18 WILLIAM AUDET
19 JONAS MANN
20 waudet@audetlaw.com
jmann@audetlaw.com
21 AUDET & PARTNERS LLP
22 221 Main Street, Suite 1460
San Francisco, CA 94105
415.568.2555 T
415.568.2556 F

23 *Liaison Counsel for Consolidated Plaintiffs*

1 RICHARD A. LOCKRIDGE
2 ROBERT K. SHELQUIST
3 KAREN HANSON RIEBEL
rlockridge@locklaw.com
rshelquist@locklaw.com
khriebel@locklaw.com
4 LOCKRIDGE GRINDAL NAUEN P.L.L.P.
100 Washington Avenue S., Suite 2200
5 Minneapolis, MN 55401
6 612.339.6900 T
612.339.0981 F

7 LEIGH SMITH
8 JOSHUA E. KELLER
9 lsmith@milberg.com
jkeller@milberg.com
MILBERG LLP
10 One Pennsylvania Plaza, 49th floor
New York, NY 10119
11 212.946.9374 T
212.273.4467 F

12 JEREMY WILSON
13 jeremy@wtlfirm.com
14 WILSON, TROSCLAIR & LOVINS
302 N. Market St.
15 Suite 501
Dallas, TX 75202
214.484.1930 T

16 *Executive Committee for Consolidated Plaintiffs*

18 DATED: August 21, 2013

19 GIBSON, DUNN & CRUTCHER LLP

20 By: /s/ S. Ashlie Beringer
S. ASHLIE BERINGER

21 Attorneys for Defendant
22 APPLE INC.

24 **ATTORNEY ATTESTATION**

25 Pursuant to Civil Local Rule 5-1, I, S. Ashlie Beringer, hereby attest that concurrence in the
26 filing of this document has been obtained from Scott A. Kamber.

27 DATED: August 21, 2013

28 By: /s/ S. Ashlie Beringer
S. ASHLIE BERINGER

1 **SUPPLEMENTAL CASE MANAGEMENT STATEMENT AND [PROPOSED] ORDER**

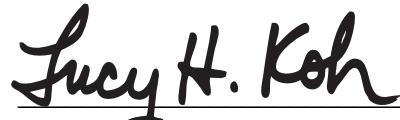
2 The Supplemental Case Management Statement and Proposed Order is hereby adopted by the
3 Court as a Supplemental Case Management Order for this case. The August 28, 2013 case
4 management conference is hereby continued to:

5 ~~October 31, 2013, at 1:30 p.m.~~

6 OR

7 November 7, 2013, at 1:30 p.m.

8 OR

9 
10

11 The Honorable Lucy H. Koh
12 United States District Judge

13 Dated: August 22, 2013